

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 254**

---

**Introduced by Assembly Member Jeffries**

February 11, 2009

---

An act to amend ~~Section 21055~~ of *Section 23301* of, and to add *Section 23301.5* to, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 254, as amended, Jeffries. Emergency vehicles: payment of tolls: *exemptions.*

*Under existing law, a vehicle that enters into or upon a vehicular crossing immediately becomes liable for tolls and other charges prescribed by the California Transportation Commission.*

Under existing law, it is unlawful to refuse to pay, or to evade or attempt to evade the payment of, tolls or other charges on any vehicular crossing, as defined, or toll highway.

~~Under existing law, the driver of an authorized emergency vehicle, as defined, is exempt from specified rules of the road under certain circumstances, including when the vehicle is being driven in response to an emergency call or while engaged in rescue operations, as specified.~~

~~This bill would exempt those emergency vehicles from the payment of a toll or charge on a vehicular crossing or toll highway in those circumstances.~~

*This bill would exempt authorized emergency vehicles, as defined, from payment of a toll or charge on a vehicular crossing or toll highway and any related fines, under specified conditions, including, but not limited to, when the vehicle is being driven while responding to an urgent or emergency call, participating in an urgent or emergency*

*response, or engaging in a fire station coverage assignment directly related to an emergency response.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Section 23301 of the Vehicle Code is amended to*  
2     *read:*

3     23301. ~~Every~~*Except as provided in Section 23301.5, each*  
4     ~~vehicle which~~*that enters into or upon any a vehicular crossing*  
5     ~~immediately becomes liable for such~~*those tolls and other charges*  
6     ~~as may from time to time be prescribed by the California~~  
7     ~~Transportation Commission.~~

8     *SEC. 2. Section 23301.5 is added to the Vehicle Code, to read:*

9     23301.5. (a) *An authorized emergency vehicle is exempt from*  
10    *any requirement to pay toll(s) or other charges on a vehicular*  
11    *crossing or toll highway, including the requirements of Section*  
12    *23301, if all of the following conditions are satisfied:*

13    (1) *The authorized emergency vehicle is properly displaying an*  
14    *exempt California license plate, and is properly identified or*  
15    *marked as an authorized emergency vehicle, including, but not*  
16    *limited to, displaying an external surface-mounted red warning*  
17    *light, blue warning light, or both, and displaying public agency*  
18    *identification, including, but not limited to, "Fire Department,"*  
19    *"Sheriff," or "Police."*

20    (2) *The vehicle is being driven while responding to an urgent*  
21    *or emergency call, participating in an urgent or emergency*  
22    *response, or engaging in a fire station coverage assignment directly*  
23    *related to an emergency response, and the vehicle's red warning*  
24    *light, blue warning light, or both, are lighted.*

25    (3) *The driver of the vehicle determines that the use of the toll*  
26    *facility shall likely improve the response and arrival time of the*  
27    *authorized emergency vehicle and its delivery of essential public*  
28    *safety services.*

29    (b) *If the operator of a toll facility elects to send a bill or invoice*  
30    *to the public agency for the use of the toll facility by an authorized*  
31    *emergency vehicle, exempt pursuant to subdivision (a), the fire*  
32    *chief, police chief, county sheriff, head of the public agency, or*  
33    *his or her designee is authorized to certify in writing that the*

1 *authorized emergency vehicle is exempt from the payment of the*  
2 *toll or other charge in accordance with this section. The letter*  
3 *shall be accepted by the toll operator in lieu of payment and is a*  
4 *public document.*

5 *(c) This section shall not prohibit a toll operator and a local*  
6 *emergency service provider from entering into an agreement that*  
7 *meets or exceeds the conditions of this section.*

8 *(d) Sections 23302 and 23302.5 do not apply to authorized*  
9 *emergency vehicles exempt pursuant to this section.*

10 ~~SECTION 1. Section 21055 of the Vehicle Code is amended~~  
11 ~~to read:~~

12 ~~21055. The driver of an authorized emergency vehicle is~~  
13 ~~exempt from Chapter 2 (commencing with Section 21350), Chapter~~  
14 ~~3 (commencing with Section 21650), Chapter 4 (commencing with~~  
15 ~~Section 21800), Chapter 5 (commencing with Section 21950),~~  
16 ~~Chapter 6 (commencing with 22100), Chapter 7 (commencing~~  
17 ~~with Section 22348), Chapter 8 (commencing with Section 22450),~~  
18 ~~Chapter 9 (commencing with Section 22500), Chapter 10~~  
19 ~~(commencing with Section 22650), and Article 3 (commencing~~  
20 ~~with Section 23300) of Chapter 13 of this division, and Article 3~~  
21 ~~(commencing with Section 38305) and Article 4 (commencing~~  
22 ~~with Section 38312) of Chapter 5 of Division 16.5, under all of~~  
23 ~~the following conditions:~~

24 ~~(a) If the vehicle is being driven in response to an emergency~~  
25 ~~call or while engaged in rescue operations or is being used in the~~  
26 ~~immediate pursuit of an actual or suspected violator of the law or~~  
27 ~~is responding to, but not returning from, a fire alarm, except that~~  
28 ~~fire department vehicles are exempt whether directly responding~~  
29 ~~to an emergency call or operated from one place to another as~~  
30 ~~rendered desirable or necessary by reason of an emergency call~~  
31 ~~and operated to the scene of the emergency or operated from one~~  
32 ~~fire station to another or to some other location by reason of the~~  
33 ~~emergency call.~~

34 ~~(b) If the driver of the vehicle sounds a siren as may be~~  
35 ~~reasonably necessary and the vehicle displays a lighted red lamp~~  
36 ~~visible from the front as a warning to other drivers and pedestrians.~~

37 ~~A siren shall not be sounded by an authorized emergency vehicle~~  
38 ~~except when required under this section.~~

O